IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

NTP, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Civil Action No. 3:07cv549 (JRS)**
	)	
CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS,	)	
	)	
	)	
Defendant.		

ORDER

Plaintiff, NTP, Inc. ("NTP"), has filed an action for patent infringement in the Eastern District of Virginia under Civil Action No. 3:07cv549 (JRS) (the "Action"). Defendant Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless") has moved for a stay of the proceedings based on the reexamination of U.S. Patent Nos. 5,436,960, 5,438,611, 5,625,670, 5,819,172, 6,067,451, 6,317,592, 5,479,472 and 5,631,946 (the "Reexamination Proceedings"). Given the current circumstances of the Reexamination Proceedings, and based upon this Court's review of the briefs and exhibits submitted by the parties, it is hereby ORDERED that:

Verizon Wireless shall file an Answer and any other responsive pleadings within twenty (20) days from the date of entry of this Order; and

It is further ORDERED that within seven (7) days from the date of entry of this Order Verizon Wireless shall either (1) file with the Court a signed copy of the following stipulation, or (2) notify the Court in writing of its decision not to sign the following stipulation:

> As a condition of the stay, Verizon Wireless agrees to be bound as to a final decision with respect to the Reexamination Proceedings

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on the patentability of any of the claims of the patents listed above with respect to any prior art allegation based on any prior art submitted to the Patent Office.

It is further ORDERED that upon Verizon Wireless's execution of the stipulation:

1. The Action shall be stayed, except with respect to Verizon Wireless's obligation to file an Answer and other responsive pleadings within twenty (20) days from the date of entry of this Order;

2. NTP shall provide a status report on the progress of the reexamination proceedings on April 1, 2008, and shall provide further status reports on a six-month basis as circumstances require; and

3. The parties agree to institute litigation holds and preserve evidence with respect to the issues raised in the Complaint.

It is further ORDERED that if Verizon Wireless elects not to sign the stipulation, the Action shall proceed and the Court will inform the parties of the date of their Rule 16(b) Pretrial Conference.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is so ORDERED.

Dated: September ___, 2007

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Chief United States District Judge

We ask for this:

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